

1723

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: 39322/173

In re patent application of

Nicolas VOUTE et al.

Group Art Unit: 1723

Serial No.: 09/274,014

Examiner: D. Sorkin

Filed: March 22, 1999

For: SMALL DENSE MICROPOROUS SOLID SUPPORT MATERIALS, THEIR  
PREPARATION, AND USE FOR PURIFICATION OF LARGE  
MACROMOLECULES AND BIOPARTICLES

RESPONSE

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

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Responsive to the Office Action of March 21, 2000, the Applicants elect Group I (claims 1-22 and 59-63). The election of the above-noted composition of matter invention is with traverse to the extent that the Applicants elect to follow the procedure in *Guidance on Treatment of Product and Process Claims in light of In re Ochiai, In re Brouwer and 35 U.S.C. §103(b)*, 1184 OFF. GAZETTE 86 (1996), to permit rejoinder of method claims upon the allowance of a claim to the composition of matter, i.e. rejoinder of Group I and Group II claims and rejoinder of Group I and Group III claims. Specifically, independent claims 23, 25, and 28 (Group II claims) are each drawn to a method of using the solid support of claim 1 (Group I claim), and independent claim 51 (Group III claim) is drawn to a method of making the solid support of claim 1 (Group I claim).

Regarding the election of species requirement for claims 33-37 and 46-49, the Applicants elect the species noted in the table below:




Claim	Elected Species
33	plasmid
34	plasmid
35	virus
36	virus
37	packed bed column
46	plasmid
47	plasmid
48	virus
49	virus

The Applicants submit that the present invention is now in condition for allowance.  
Early notification of such action is courteously solicited.

Respectfully submitted,

April 21, 2000  
Date

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Should additional fees be necessary in connection with the filing of this paper, or if a petition for extension of time is required for timely acceptance of same, the Commissioner is hereby authorized to charge Deposit Account No. 19-0741 for any such fees; and applicant(s) hereby petition for any needed extension of time.